

REMARKS

Claims 1-11 and 14-20 are pending in this application. By this Amendment, claims 1, 16 and 19 and the specification are amended. The claims and specification have been amended for antecedent basis and clarity. No new matter is added.

Applicants appreciate the courtesies shown to Applicants' representative by Examiner Shapiro in the October 8, 2009 personal interview. Applicants' separate record of the substance of the interview is incorporated into the following remarks.

Claims 1-20 are rejected under 35 U.S.C. §112, second paragraph. The rejection is respectfully traversed.

The independent claims have been amended, as agreed during the personal interview, to recite that the retail establishment includes one or more of at least a single store, multiple stores, one or more third party concession stands located within a single store and two or more stores located within a mall. Further, paragraph [0092] of the originally filed specification has been amended to provided support for this amendment. As agreed during the personal interview, this amendment to the specification does not raise new matter because it is merely a clarification.

It is respectfully requested that the rejection be withdrawn.

Claims 1-7 and 9-20 are rejected under 35 U.S.C. §103(a) over Dobbins, U.S. Patent Application Publication No. 2002/0063034, in view of Jones, U.S. Patent No. 6,128,402, and Ibarrola, U.S. Patent No. 5,368,149. Claims 12 and 13 were previously canceled, rendering their rejection moot. The rejection with respect to the pending claims is respectfully traversed.

Claim 1 recites that the step of accepting the face value is limited to be less than a preset cash value. Claims 16 and 19 recite similar features. The Office Action admits that

Dobbins fails to teach or suggest these features, but alleges that Ibarrola discloses a step of accepting a coin of a face value in which the face value is limited to be less than a preset cash value, citing Ibarrola at col. 6, lines 14-21. Applicants respectfully disagree.

The cited portion of Ibarrola must be read in context. As discussed during the personal interview, claim 4, which includes the portion of Ibarrola cited by the Office Action, is a filtering procedure for processing electrical signals. The values referred to in the claim are digital values as part of an electrical signal and, as part of the procedure of claim 4, electrical values are preset for filtering the electrical signal. As agreed during the personal interview, the preset electrical values have no correlation to a preset cash value. The predetermined values deal with electrical signals. See, for example, Ibarrola at col. 3, line 55 to col. 4, line 2 and Fig. 1. As can clearly be seen in Fig. 1, K1 is a voltage and is not related to a preset cash value. Ibarolla simply wants to detect if an item is a coin, not a specific monetary value of that coin.

Applicants respectfully assert that for at least the preceding reasons, Ibarrola fails to overcome the admitted deficiencies of Dobbins and Jones, which the Office Action does not use to reject the feature of claims 1, 16 and 19.

Claims 2-7, 9-11, 14, 15, 17 and 18 are patentable by reason of their dependency from one of independent claims 1 and 16 as well as for the additional features they recite.

It is respectfully requested that the rejection be withdrawn.

Claim 8 is rejected under 35 U.S.C. §103(a) over Dobbins in view of Jones, Ibarrola and Jones, U.S. Patent No. 6,363,164 (Jones II). The rejection is respectfully traversed.

As discussed above, Dobbins, Jones and Ibarrola fail to teach or suggest all of the features of independent claim 1. Further, Jones II fails to overcome the deficiencies of Dobbins, Jones and Ibarrola. Thus, claim, 8 is patentable by reason of its dependency from independent claim 1, as well as for the additional features it recites.

Claims 1-20 are provisionally rejected on the ground of non-statutory obviousness-double patenting as being unpatentable over claims 1-20 of copending Application No. 10/524,109; claims 1-19 and 21 of copending Application No. 10/524,110; claims 1-19 and 24 of copending Application No. 10/524,111; claims 1-18, 23 and 35 of copending Application No. 10/524,112; claims 1-7, 9, 10 and 12 to 14 of copending Application No. 10/933,289; and claims 1-9, 11, 13-33, 35 and 37-45 of copending Application No. 11/117,563. Claims 12-13 were previously canceled, rendering their provisional rejection moot. Applicants respectfully request that the rejections be held in abeyance until the final content of the claims has been determined.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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